Secret file

4-21

1925

Department of Excise

OFFICE Of the Comm^r

STATION Chepauk

R. No. 2540 advt

Dated 25. 11. 25

To whom sent	Date	In
	Given for copying Sn	
	Copied W.	
	Examined	
	Signed 26/11	16 NOV 1925
	Given for despatch	
	Despatched	
Pages in the file	Indexed	
	To be destroyed on	

(SUBJECT.)

Shops — location. — one furlong rule — application to cart tracks — suggestion of the President - Kuppanangadi Taluk Board

Report to Govt

* Not to be filled in the case of permanent records.

No.2105/U.Y.B.25

Copy of letter from the President Uppinangudy Taluk Board, to the Secretary to the Government of Madras, Local Self-Govt., Department thro' the President District Board, South Kanara.

I have the honour to state that the Collector of South Kanara requested me to intimate if there is any objection to the location of the site selected for the permanent location of the toddy and arrack shops of Kabaka village and I objected to the site on the ground that it is too close to the cart-track leading from an important hamlet in the village to the main road. The Collector has summarily disposed of my objection stating that the "one furlong rule is applicable only in the case of metalled or main roads and not to cart-tracks" The matter was referred to the Taluk Board and a copy of thier resolution in the matter is herewith submitted.

2. A cart track is as much used by the public as a main or metalled road and I do not see the reason for making a distinction between a cart track and other roads for the purpose of location of liquor shops. I presume that the one furlong rule was prescribed for the purpose of reducing the consumption of liquors so as to minimise temptation. That being so, I am unable to make out why the rule cannot be applied to cart tracks. The temptation of passers by to enter the shops lying on main or metalled roads. Why then the rule should not apply in the case of cart tracks? My Board is of opinion that it is a distinction without any real difference and that therefore the one furlong rule should be enforced in the case of cart tracks as well.

3. I have the honour to request that the Government may be pleased to direct the Collector to give effect to the objection raised by me regarding the site selected for the permanent location of the shops and to apply the rule in future generally to all cart tracks frequented by the public.

(True copy)

2

Extract from the Proceedings of the meeting of the Uppinangady Taluk Board, held at Puttur, dated 14-10-25.

Present.

M.R.Ry	M. Shiva Rao	President
"	N.S. Krishna Rao	Vice President
Miss.	M.S. Baptist	
M.R.Ry	M. Ramanna Gowda	
"	S. Yelianna	
"	V. Raja Laxminatha Swamji	
"	M. Ramakrishna Bhatta	
"	Mammikunhi Beary Saheb	
M.R.Ry	M. Hukrappa Rai	
"	P. Ramachandra Banninthaiya	
"	I. Rama Rau	
"	K. Poovani Hedge	
"	H. Ganapathi Rau	
"	H. Mangesh Rau	

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222. Read letter Ref: C.No.6664-24 -A.4 dated 22-2-25 of the Collector of South Kanara, requesting to be informed - whether there is any objection to the site selected for the permanent location of the arrack and toddy shops of Kabaka village together with this office, reply L.Dis. C.No.295/Sup. 25 dated 22-8-25 objecting to the site as it is close to the cart track leading from the main road.

Also letter reference C.No.6664 -24 A.4 dated 9-9-25 of the Collector informing that the objection raised cannot be accepted as the one furlong rule is applicable in the case of metalled or main roads and not in the case of cart tracks.

Resolution:- The Board is unable to follow the distinction mentioned. Government will be addressed in the matter pressing the objection already stated.

(True copy)

C.F. 16—5,84,258—17-12-21.(6)

OFFICE NOTE.

SUBJECT Shops - location within 1 furlong of cart tracks - objection by the Effingham Taluk Bd Received.

From

Govt Revenue Dept

Register No. 4852 a/45.

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p/o 2-3 C4

Pkds are the letter to Govt from the President Effingham Taluk Bd and the Govts Order on p 1 C4. Proposed para 66(3) bars the rural shops must not be located within furlong of a metalled road This rule was introduced with effect to the orders in Govt No 727 Fin (Exp Reo) of 23.8.19

CS. 801 p136 Exam.

p 89 (K)

para 2 p 88 (K)

The necessity for such a rule arose from the fact that shops sanctioned for the supply of a village or for a group of villages through which a main road passed were often shifted from the village site and located on roadsides where they put a constant temptation in the way of travellers. The rule however

operates as a hardship on renters in S. Kanara and Malabar Dts and in Bd's Proc 7 & 8/23 instructions were issued to these Collrs to work the rule with discretion, as there are no 'villages' proper in the two Dts and as the physical characteristics of the two Dts are such that it is most difficult to find any practicable site for a liquor shop a furlong from the road that is not on private land and that is accessible by a public path. The point raised by the Divisional Talluk Bd is that the rule should be made applicable to cart tracks also. Apart from the difficulty in applying strictly following even the existing rule, in S. Kanara Dt, it is submitted that a cart-track will not generally have much traffic on it worthy of the name of a metalled road & rural shops are not to be located within a furlong of cart tracks also, access to such shops will in most cases be difficult and rural shops will have to be located in isolated places not easily accessible to the contracting public ~~and isolated to make the~~ ~~Collr's duty to separate between the~~ ~~two~~ The question of the Talluk Bd Divisional that the 1 furlong rule should be

applied to the Cart tracks as well does
not seem to be a desirable one. The
orders.

It may be seen from Bf. No. 7 & R. Alls of 2.9.12
pp. 7 & 8 (N) that owing to the peculiar
physical Characteristics of S. Kanara & Malabar
it is not now possible to strictly adhere to the one
furlong rule even in the case of metalled roads.
If the rule is made applicable to cart-tracks
about will be impossible to have any suitable
Site for the location of Shops in the S. Kanara
district without violating the important rule
in clause 4 of para 46. which requires that
the Site Selected should be so far public that
persons visiting the Shops do not escape
observation but not so prominent as to
Compel attention. For orders whether the forth
going may be informed accordingly.

Cor. Slip 801 - p. 136 of Manl & also p. 8 (N)

9th 14/11/25

9th 14/11/25

It is well known that the physical
Characteristics of Malabar & particularly S. Kanara
are such that if the one furlong from road
rule is insisted on, the Shops will have to
be located in low lying paddy flats or on hill-
tops between either of which roads run
generally & it was after careful consideration
that orders on pp. 7 & 8 (N) were passed. Cart.
tracks especially in S. Kanara are where
feeders to roads from villages for transport
of paddy &c & which are generally only slightly

wider than footpaths. In B.P.D 217/5 dt 9/11/21. p.14 (M) it even in the case of roads, it was clearly laid down that the One-furlong-mile does not apply to road-side villages. When it was found impracticable to insist on the restriction even in the case of roads in S. Kanara, the difficulty will be immensely greater in the case of Cart tracks & it will not be possible to find suitable sites for the location of Shops. The Govt. may be informed that the restriction referred to by the Presidency Taluk Board is impracticable

Ryots/25 It is open to the District Board to advise the Collector in regard to the location of any particular liquor shop but what they must seek is a general Rule prohibiting location of such shops on Cart tracks. Govt may be informed on the lines suggested in the note

BB
9/11/8

J. 9/11
W
9/11

C.F. 16—2,46,515—28-8-24. (6)

DRAFT FOR APPROVAL.

Enclosures.

Despatch No.

When given to fair copying

Fair-copied by

Fair-copy compared by

When despatched

Office.

Register No. 9852/25 dated

From Govt Rev Dept

Govt No. 2755/25-1 dt 29-10-25

Subject.

Shops — location — one furlong rule — application to Cart tracks — Suggestion of the President Tiruvannamalai Taluk Bd — Report to Govt.

To

THE

Remarks on rule.

Pass

The existing rule is that rural shops must not be located without permission within a furlong of a metalled road and this rule was introduced with reference to the orders in G.O. No. 127 Rev (Supply) dt 23-8-17. The suggestion made by the President of the Taluk Bd Tiruvannamalai is that this rule should be applied in the case of all cart tracks frequented by the public at large also. The Commissioner reports that there will be no general

139 (K)

be much traffic on a cart track as to make the case of a metalled road. Cart tracks especially in the S. Kanara are made passes to roads, from villages for the transport of paddy etc and they are only slightly wider than a footpath. Considerable difficulty has been experienced in strictly [illegible] applying the existing one-furlong rule in the Malabar & S. Kanara Dts. The physical characteristics of the country in these Dts, and more particularly in the latter Dt are such that if the existing rule is strictly insisted on, rural shops will have to be located in low-lying paddy flats or on hilltops not easily accessible to the conveying public. Such being the case, if the existing rule is to be applied to cart tracks also, it will only aggravate the existing difficulties in the matter of locating rural shops in this Dt, i.e. and shops will have to be located in isolated and Dt easily accessible places thus violating the important rule in Clause 4 of para 46 of the Code which requires that the site selected should be

So far public that persons entering it do not display observation but not so prominent as to compel attention. The Comm. thereon considers that the suggestion made by the President of the Bank Bd Appointment is impracticable

RECEIVED
26 NOV 1925

27/11/25

25/11/25

To the 2nd Secretary Bd of Trade
Dept of Overseas Trade
(with encls, Refs)

24.11.25

24/11/25

GOVERNMENT OF MADRAS

MADRAS

Sectt. II-15 (a)—24,550—9-12-24.

Received ..... 192 . *Registered* 192

168

ABKARI

Abstract.

Abkari shops - Location - One furlong rule - Application to cart tracks - Refused

AS/S

REVENUE DEPARTMENT.

G.O. No. Mis. 21 dated 5th January 192 6

READ the following papers :—

ENCLOSURES.
No.....
.....

ORDER :-

The Government regret that it is not practicable to accept the suggestion of the President, Uppinangady Taluk Board, that rural shops should not be located within a furlong of cart tracks.

(By Order of the Government, Ministry of Education, etc.)

H. M. HOOD

SECRETARY TO GOVERNMENT.

To the President, District Board, South Kanara, Mangalore (with reference to his letter No.Dis.C.No.4264/25-D.B. dated 22nd October 1925)

Copy to the Commissioner of Excise, (with reference to his Proceedings R.No.2540-Abkari, dated 25th November 1925).

Copy to the Collector of South Kanara.

Forwarded,

(By order)

Superintendent.

M.P.

Sir

Submitted for perusal. A copy may be communicated to the A.C. West coast for information

MRH 9.1.26

11.1.26

12/1/26

C.F. 16—10,55,873—8-9-25. (6)

DRAFT FOR APPROVAL.

Enclosures.

Despatch No. P/3tw

When given to fair copying 21/1

Fair-copied by

Fair-copy compared by AS

When despatched

Office.

Register No. 168 cbf, dated /26.

From Govt Rev. Dept

G. O No. mis 21 of 26 of 5.1.26.

Subject.

Shops — location — one furlong rule — application to construct refused

To

THE

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memo (with be filed with CP 2540 cbf/25)

A copy of G.O No 21 mis 926 of 5-1-26 is communicated to the A.C. West Coast Dn. for information

RECEIVED 21 JAN 1926

To

The A.C. West Coast Dn. (with one enclosure).

MRR 18.1.26

21/1

24/1/26 80 25/1/26